

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

November 19, 2009

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

OAHU

Issuance of Right-of-Entry Permit to the Department of Health on Lands  
Encumbered by General Lease No. 4007 and Governor's Executive Order  
No.3867, Waimanalo and Kahuku, Oahu, Tax Map Key: (1) 4-1-027:023 and (1)  
5-6-006:050.

APPLICANT:

Department of Health, by its Hazard Evaluation and Emergency Response Office.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waimanalo, Koolaupoko and Kahuku,  
Koolauloa, Island of Oahu, identified by Tax Map Key: (1) 4-1-027:023 and (1) 5-  
6-006:050, as shown on the attached map labeled Exhibit A1 & A2.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

(1) 4-1-027:023

Encumbered by General Lease No. S-4007, God's Love Mission, Lessee, for General  
Agriculture purposes. Lease to expire on September 11, 2021.

(1) 5-6-006:050

Encumbered by Governor's Executive Order No. 3867 to Department of Agriculture for Kahuku Agriculture Park purposes.

CHARACTER OF USE:

Conducting Natural Background Metals Concentration Study purposes.

TERM OF RIGHT-OF-ENTRY:

One day.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, Item No. 1 that states "Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes."

DCCA VERIFICATION:

Not applicable. Government agency.

APPLICANT REQUIREMENTS:

None.

REMARKS:

Hazard Evaluation and Emergency Response Office (HEER) of the Department of Health will conduct a study to determine the natural background metals concentrations throughout the State. The study involves collecting sample of soil from the properties. For Oahu, HEER selected the list of properties as shown on Exhibit B and asks for permission to enter the properties and collect samples. HEER does not expect the sampling process taking up more than a day to complete.

Respective owners/agencies for the seven (7) properties on Exhibit B are shown. While Division of State Parks will process the request through the Special Use Permit program, staff recommends the Board authorize the issuance of right-of-entry over the two properties under this request. Staff has obtained concurrence from the Department of Agriculture on the request, and will contact God's Love Mission for the agreement on the other parcel.


Staff did not solicit comments from other agencies. Since this is a government project, staff recommends gratis for the issuance of the right-of-entry.

RECOMMENDATION:

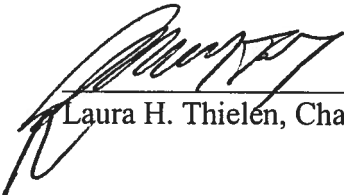

That the Board authorize the issuance of a right-of-entry permit to Department of Health covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

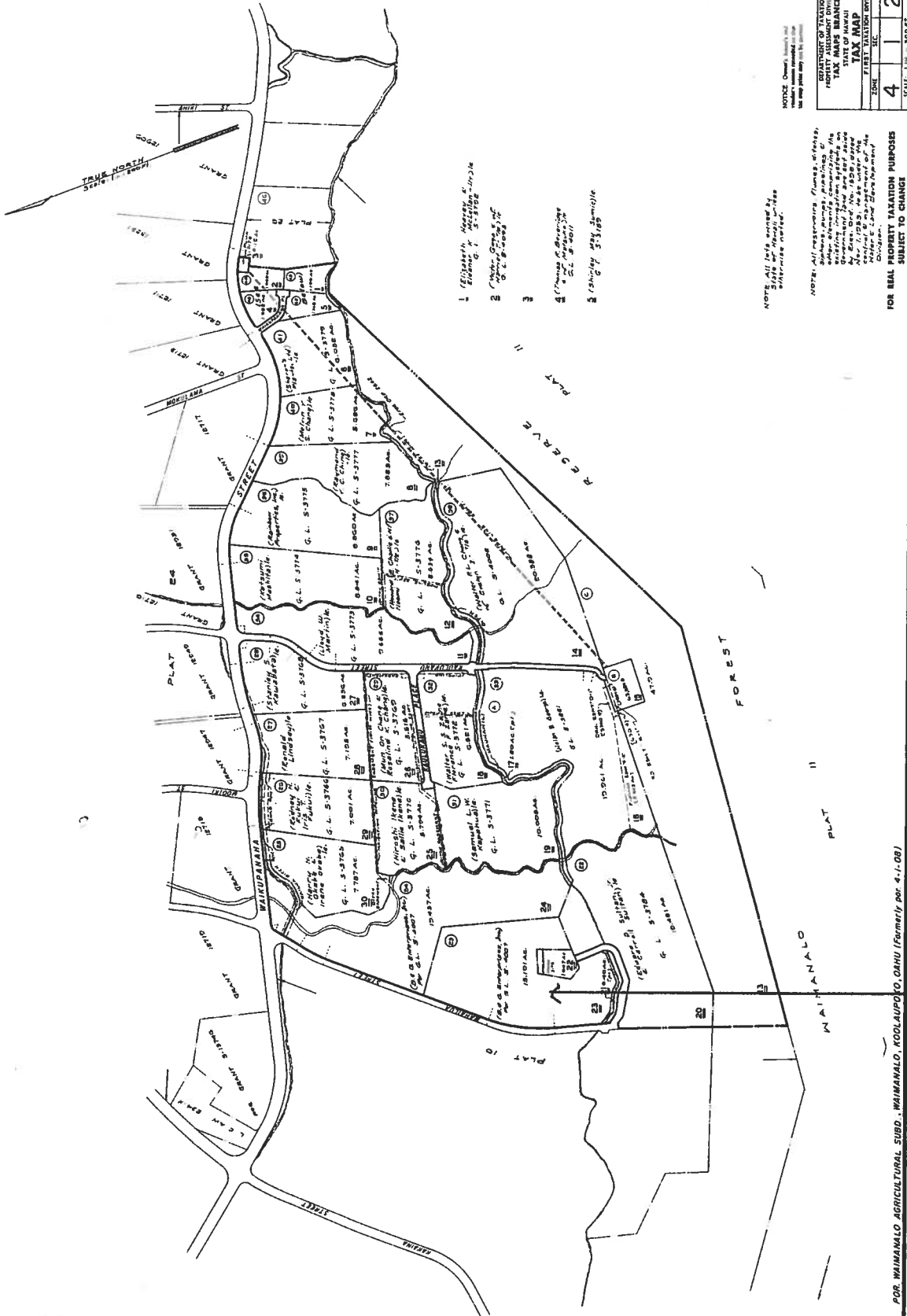
1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

  
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Laura H. Thielen, Chairperson 



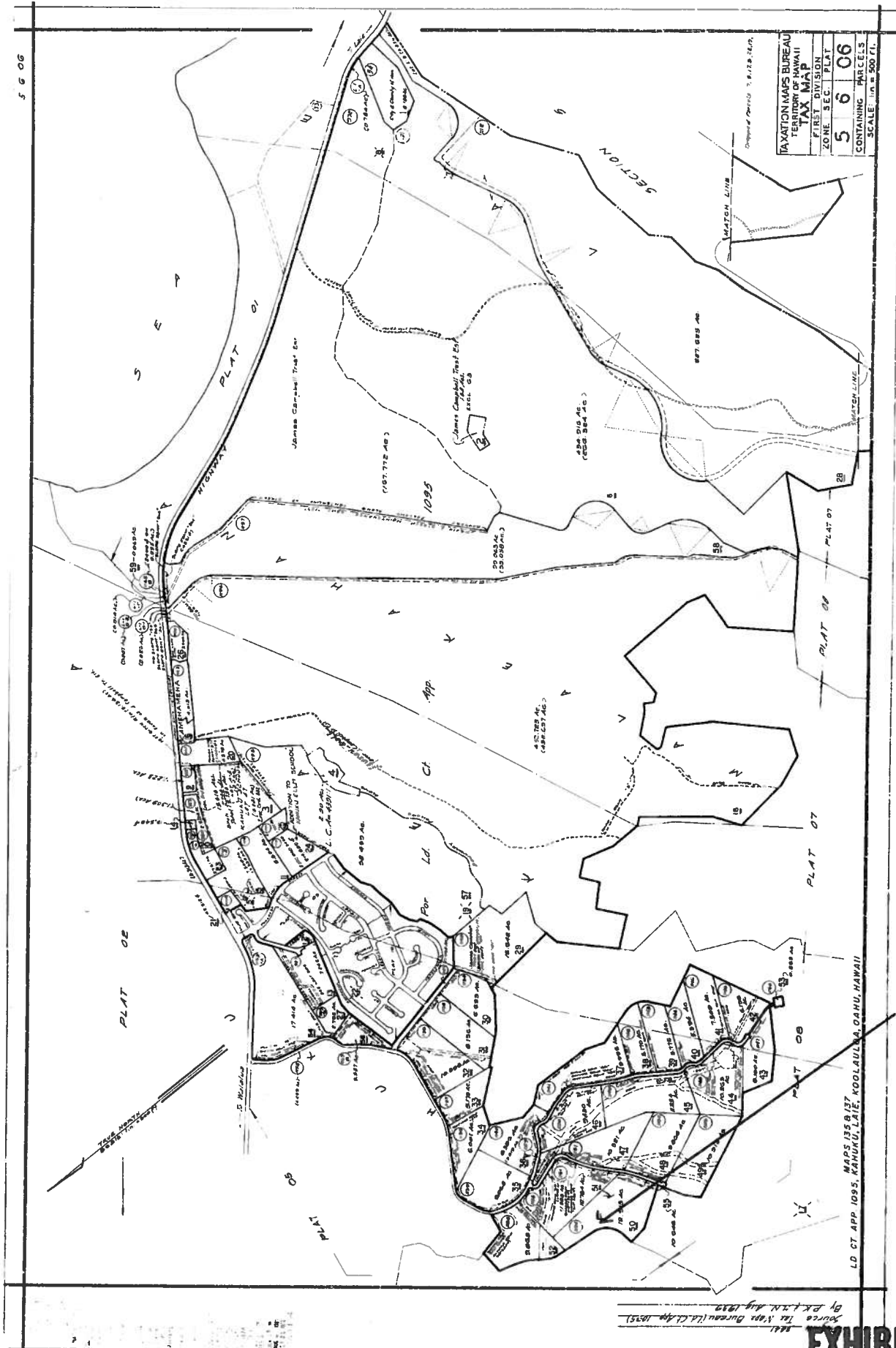
NOTICE: Owners, lessees and  
tax payers should note that  
tax maps show only the general  
location of property.

REVENUE DIVISION PROPERTY TAX MAP TAX MAP BRANCH TAX MAP TAX MAP			
ZONE	SEC	BLK	LOT
4	1	27	
SCALE 1" = 500 FT.			

NOTE: All registered claims, whether  
substantive, pending or  
building contracts, apply to  
the property shown on this  
map. The map is subject to  
change without notice.  
The map is not a warranty of  
title or a statement of the  
value of the property.

FOR WAIMANALO AGRICULTURAL SUBD. 'WAIMANALO', KOOLUPOO, OAHU (Formerly per 4-1-00)

Subject  
Location



Subject Location

**Background Metal Study  
Tentative Sampling Locations**

LAND OWNER	LAT	LONG	TMK	SITE ADDRESS	Total Parcel Area (acres)	Zoning	Lessee	Owner/ Agency
State of Hawaii - UH <sup>p</sup>	21.370912	-158.0647	192002001	91-1440 Farrington Hwy, between Kunia and lower Makakilo	80.44	A/51/50	Sugarland Farms, Inc. P.O. Box 27 Kunia, HI 96759	UH
State of Hawaii	21.365147	-157.8403	114016003	3659 Kalihi St., Kalihi-Likilike	21.186	U/62/90		State Part HHFDC
State of Hawaii - HCDCH <sup>c</sup>	21.478099	-157.8663	148012005	Waiahole Valley Rd., Kahaluu	78.224	A/52/50	Nora	
State of Hawaii	21.673335	-157.9679	156006050	Plantation Rd., Kahuku	12.913	A/51/50		DOA
State of Hawaii	21.554229	-157.8693	152002001	Kahana	1338.67	C/61/60	Multiple Lessees God's Love Mission, Inc.	State Part
State of Hawaii	21.331913	-157.7362	141027023	Mahailua St., Waimanalo	15.101	A/51/50	PO Box 75700 Honolulu HI 96815	Land Div
State of Hawaii	21.314531	-157.8293	125019008	Makiki Valley State Park, 2109 Makiki Hts Dr.	346.355	C/61/60		State Part

**EXHIBIT "B"**